



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

MIDDLEBROOKS SHAPIRO, P.C.

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Attorneys for the Chapter 13 Debtor,

Yong Suck Lee

In re:

YONG SUCK LEE,

Chapter 13 Debtor.

Order Filed on March 1, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-11532-VFP

Adv. Pro. No.

Judge: Vincent F. Papalia

**ORDER QUASHING RULE 2004 SUBPOENA DIRECTED TO
YONG SUCK LEE ON BEHALF OF DISPUTED CREDITOR JR ARTS
AND CRAFTS CO., LTD AND GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through two (2), is hereby
ORDERED.

DATED: March 1, 2019



Honorable Vincent F. Papalia
United States Bankruptcy Judge

In re: Yong Suck Lee

Case No. 18-11532-VFP

Caption: Order Quashing Rule 2004 Subpoena Directed To Yong Suck Lee On Behalf Of Disputed Creditor JR Arts and Crafts Co., LTD and Granting Related Relief

(Page 2)

THIS MATTER having been brought before the Court on behalf of Yong Suck Lee, Chapter 13 Debtor in the above-referenced Chapter 13 proceeding (the “Debtor”), by and through his counsel, Middlebrooks Shapiro, P.C., by way of Motion for Order Quashing Rule 2004 Subpoena Directed to Yong Suck Lee on Behalf of Disputed Creditor JR Arts and Crafts Co., LTD Pursuant to Fed. R. Bankr. P. 2004, D.N.J. LBR 2004-1(d), Fed. R. Civ. P. 45, Fed. R. Bankr. P. 9016 and 11 U.S.C. §105(a); and for Related Relief (the “Motion”); and the Court having considered the papers filed in connection with the Motion; and the Court having considered the oral arguments of counsel, if any; and for good cause shown,

IT IS HEREBY

ORDERED, that the Motion shall be and is hereby granted in its entirety; and it is further

ORDERED, that the Subpoena for Rule 2004 Examination directed to Yong Suck Lee on Behalf of Disputed Creditor JR Arts and Crafts Co., LTD shall be and is hereby quashed.

The entry of this Order is without prejudice to the rights of JR Arts and Crafts Co., LTD to seek discovery from the Debtor in the pending New York State Court action and the rights of the Debtor to oppose such discovery, all in accordance with applicable New York law. The automatic stay does not preclude or prevent the taking of discovery from the Debtor in the New York State Court action. The stay applies only with respect to the actions or proceedings identified in section 362(a) of the Bankruptcy Code, which generally precludes a party from taking any action to recover a pre-filing debt or obligation of the Debtor, unless stay relief is granted. Thus, to the extent JR Arts and Crafts is seeking discovery from the Debtor to assist in its efforts to obtain a recovery from the other defendants in the New York State Court action, the stay is not applicable.

In re:
Yong Suck Lee
Debtor

Case No. 18-11532-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 01, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 03, 2019.

db +Yong Suck Lee, 22 McCain Court, Closter, NJ 07624-2304

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 1, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Lease Trust dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Jae Y. Kim on behalf of Creditor JR ARTS AND CRAFTS CO., LTD jkim@jyklaw.com, jhkim@jyklaw.com;jyklaw@yahoo.com;kimjr83713@notify.bestcase.com
Jessica M. Minneci on behalf of Debtor Yong Suck Lee jminneci@middlebrookssapiro.com
Joseph E Collini on behalf of Plaintiff Sang Pak emcolaw@optonline.net
Joseph E Collini on behalf of Creditor Newmax Trading Corp emcolaw@optonline.net
Joseph E Collini on behalf of Plaintiff Newmax Trading Corp emcolaw@optonline.net
Joseph E Collini on behalf of Creditor Sang Pak emcolaw@optonline.net
Joseph M. Shapiro on behalf of Defendant Yong Suck Lee jshapiro@middlebrookssapiro.com
Joseph M. Shapiro on behalf of Debtor Yong Suck Lee jshapiro@middlebrookssapiro.com
Kevin Gordon McDonald on behalf of Creditor Toyota Lease Trust kmcdonald@blankrome.com, bkgroup@kmllawgroup.com
Marie-Ann Greenberg magecf@magttrustee.com
Melinda D. Middlebrooks on behalf of Debtor Yong Suck Lee middlebrooks@middlebrookssapiro.com, melindamiddlebrooks@gmail.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13